

RECEIVED  
CENTRAL FAX CENTER

OCT 06 2006

REMARKS

Applicant's counsel thanks the Examiner for the careful consideration given the application. Applicant's counsel also thanks the Examiner for the courteous telephone interview conducted on October 5, 2006 during which the independent claims and the applied references were discussed. The substance of claim 26 has been put into claim 1, the substance of claim 37 has been put into claim 19, and the substance of claim 38 has been put into claim 22. Claim 14 has been amended similar to claim 19, claim 15 has been amended similar to claim 22. Support for the five new claims can be found as follows: claim 39 at page 6, line 31; claim 40 at page 6, lines 23-24; claim 41 at page 1, line 8 et seq. and page 14, line 30 et seq.; claim 42 at page 13, line 9; and claim 43 at Figures 10-12 in the present specification.

As discussed in the telephone interview, claim 1 as now presented defines over Layne because the thickness direction has now been clarified; claim 1 as now presented defines over Fig. 6 of Layne because element 15 is thicker than element 14 when measured by how far it extends in a direction substantially perpendicularly from the mounting surface. Also as discussed during the telephone interview, new claim 43 defines over Layne because the mounting bracket in Layne (see element 30 in Fig. 3) is not rigidly fixed to the backing structure 16 (see Fig. 6). At the end of the interview, the Examiner said that both claims 1 and 43 should now be okay.

During the telephone interview claim 19 was discussed with respect to US Pat. No. 6,272, 799 and it was pointed out that claim 19 now defines over Fig. 6 of the '799 reference because Fig. 6 does not have a metallic theft deterrence component covering a substantial portion of the exterior periphery of foam block 28 which is not covered by the backing structure 30. As agreed during the interview, applicant also points out that element 52 in Fig. 6 is not a mounting bracket as described in applicant's present specification; rather, it is a fastener.

Claim 22 was also discussed during the telephone interview with respect to Fig. 6 of the '799 reference. Claim 22 now requires that the lengths of the two short legs are measured in a direction substantially perpendicular to the mounting surface. This clearly defines over Fig. 6, since the two short legs 58 and 60 are substantially the same length when measured in a direction substantially perpendicular to the mounting surface.

As was discussed during the telephone interview, each of the independent claims has been carefully written so as to clearly define over the applied references. Since each of the independent claims now has added limitations which clearly define over the applied references, it is clear that the claims as now presented are in condition for allowance, which is respectfully requested. If the Examiner has any further questions, he is requested to contact applicant's counsel to resolve any open items.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. 36289US1.

Respectfully submitted,  
PEARNE & GORDON LLP

By: John P. Murtaugh  
John P. Murtaugh, Reg. No. 34226

1801 East 9th Street  
Suite 1200  
Cleveland, Ohio 44114-3108  
(216) 579-1700

Date: October 6, 2006